

SUPERIOR COURT OF CALIFORNIA, COUNTY OF LOS ANGELES

Department LA 9

10/28/2008

Court Convened at: 0830AM

Honorable Commr Reva G. Goetz, Judge Pro Tem
none, Deputy SheriffG. Perez, Deputy Court Clerk
Tamara Vogl CSR #10186, Reporter

BP-108870

102

SPEARS, BRITNEY JEAN - CONSERVATORSHIP

Conservatorship-Pers

APPT. CONSERVATOR OF ESTATE

Petitioner(s): Spears, James P.

Attorney(s): Wyle, Geraldine A., Esq. ✓

Continuance Number: 5 Continuance From: 9/25/2008 12:00:00AM

Last Date Changed: 10/27/2008 1:33:39PM

Last Note Changed By: SRILEY

To clear probate notes "filed documents" must be submitted to Rm 258, within time frames set forth in Rule 10.3 of LASC Rules. You may contact the Probate Attorney whose E-Mail address appears at the end of these notes, subject to compliance with all conditions governing the use of Interactive E-Mail. E-mail Rules are available in Rm 258 and on the Court's web site at www.LASuperiorCourt.org.

PRIOR ORDERS: Cont to 10/28/08 <at 830. Parties stipulate to Judge Pro Tem>; 9/25/08 <1:30 p.m., Parties stipulate to Judge Pro Tem>; 09/16/08 <at 8:30 a.m. Parties stipulate to judge pro tem. Court and counsel confer in chambers (off the record). ON THE RECORD : Fees to Brian Spears remains deferred. Wasser Cooperman & Carter shall receive an additional \$ 5035.00 . This pabyment plus the retainer equals half of the account balance. Luce Forward Hamilton & Scripps, LLP shall receive \$ 100,000 on account. No orders are made for fees due the Phillips Lerner Lauzon & Jamra, LLP because counsel Stacy Phillip is represented , and her counsel is not available today. Matter is continued to Sept. 16, 2008 at 8:30 a.m., subject to counsel's availability. In the alternative, the next hearing will be set for August 27,2008 at 1:30 p.m. By Wyle shall contact the clerk by August 18, 2008 to advise August 27,2008 date will go forward. Court finds no reason for the Declaration submitted from Stacy Phillips to be sealed, although submitted conditionally under seal, and the document will be placed in the court file unsealed. The time for filing Declarations and Fee Petitions is extended to Sept.5, 2008. The document(s) shall be brought to department 9 after the filing fees are paid. > ; 8/14/08 <at 1:30 p.m. and 10/28/08 at 8:30 a.m. Matter is also continued to December 22, 2008 at 1:30 p.m. in this department, Court and counsels confer in chambers, off the record. ON THE RECORD Geraldine Wyle and Jeryll S. Cohen appear on behalf of petitioner James P. Spears. Samuel D. Ingham III, court appointed PVP, appears on behalf of Britney Spears. Andrew M. Wallet appears on behalf of himself as co-conservator of the estate. Clark Byam appears on behalf of Bryan Spears and Ivan Taback, co-trustees. The temporary letters are extended to December 31, 2008, without prejudice, subject to review and subject to early termination. For the balance as of June 30, 2008, \$16,278.16 shall be paid to the firm of Hahn & Hahn. \$100,000.00 shall be paid to the firm of Hinojosa and Wallet, on account. For the balance as of June 30, 2008, the firm of Holland & knight shall receive up to 50% of their fees, not to exceed \$45,000.00 to include fees already paid to Holland & Knight. The outstanding balance of \$12,109.39 shall be paid to Mitchell M. Gaswirth. The prior order for payment to PVP remains in full force and effect until December 31, 2008, unless modified at an earlier date. Court defers orders for payment to 1) Luce Forward Hamilton & Scripps LLP, 2) Stacy Phillips, 3) Laura Wasser, and 4) the balance due to Bryan Spears to August 14, 2008 at 1:30 p.m., Petitions for Attorney Fees shall be filed not later than August 29, 2008, and set for hearing on September 25, 2008 at 1:30 p.m., October 28, 2008 is set as a status hearing/TSC, Parties stipulate to Judge Pro Tem, Temporary letters extended to 12/31/08, status hearing is set for 9/25/08 at 1:30 p.m.> Samuel D. Ingham, III app PVP atty temp letters expire 7/31/08

SUMMARY:

Filed?

Petrn is father requesting apptmt of himself and Andrew M. Wallet as co-consors of ESTATE - Consent to act filed No spouse

OTHER MATTERS: BP 109096 Trust

RECOMMENDED DISPOSITION:

Order to be Prepared By:

RELATED ITEMS: 105-107

Clerk: _____ Attorney: _____

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Crt Invest Rept lodged

MATTERS TO CLEAR:

- A. no citation & service for 7/31/08 hrng
B. no ntc/copy rels w/in 2nd deg (5) other than petnr
c. No PVP Rept lodged

RELIEF:

1. JTD The proposed conservatee consents (does not object) to the conservatorship/consor of the estate ☒ Or the proposed conservatee objects to the conservatorship/consor [].
2. JTD The Court finds from clear and convincing evidence that a conservatorship of the estate ☒ is necessary and appropriate (in that the proposed conservatee is unable to manage her financial resources ☒ and/or resist undue influence ☒ AND granting of the conservatorship is the least restrictive alternative needed for the protection of the conservatee
3. JTD the court finds that the proposed co-conservators are suitable and qualified and are hereby appointed conservator of the estate *of D.*
4. JTD bond (requested amt not stated) and alleges value of conservatorship estate unknown -- bond to be required as provided in PC 2320, and must include amt of cost recovery as calculated in CRC Title 7, Rule 2.07 - unless crt finds the consorshp consee will not suffer harm as result of bond waiver or bond in lesser amt

PA's COMMENTS: if ntes given & citation served or svc waived, T/T o/w cont for proper ntc - if contd, crt to extend temp letters?

sriley@lasuperiorcourt.org sc vkd
SRR 3/6/08

MINUTE ORDER

- ☒ Granted ☐ Denied Without Prejudice ☐ Completed ☐ Continued to ☐ Submitted ☐ Off-calenda
- ☐ As Supplemented ☒ ~~Denial~~ Estate ☐ No Bond ☒ Bond of \$ 50,000 ~~Additional remains~~ ☐ Will and ☐ Codicil(s) Admitted
- ☐ Full/Limited/No IAEA ☐ Lacks Medical Capacity and Voting Capacity ☐ Fees Granted in the Amount of \$ _____ County/Estate
- ☐ Dementia Powers Granted ☐ Medical and Placement ☐ PC 2351.5 powers granted ☐ Supplemental Probate Investigator/DCFS Report Ordered
- ☒ Court has Read and Considered/Approved Report ☐ Parties stipulate to Judge Pro Tem- written ☐ Give Notice Waived ☐ Bond Exonerated
- ☐ Court Investigation/DCFS/Regional Center Report is placed in the Confidential Envelope / is admitted into evidence as Court's Exhibit 1 and sealed
- ☐ PVP/Attorney/Citee/Party Ordered Back/Discharged/As Prayed ☐ Appearance of Minor(s)/counsel waived for next hearing ☐ No further review required
- ☐ New Citation to issue/personal service ☐ Re: if proof of deposit to a blocked account filed ☐ PVP Appointed/Remains/Discharged
- ☐ Confirmed for \$ _____, Commissions: _____, Title: _____
- ☐ Time to Administer Estate // Special/Temporary Letters Extended/Granted to _____
- ☐ Accounting to be filed by _____ and Set for Hearing on //Statue re: Accounting/Status Hearing is Set for _____

RECOMMENDED DISPOSITION:

Order to be Prepared By:

Clerk: _____ Attorney: ☒

10/28/2008

RELATED ITEMS: 105-107

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The Conservatorship is called for hearing.

In addition, to incorporating the powers previously delineated in attachment 1d to the Conservatorship of the Estate, the Court adds one additional power authorizing the Co-Conservators of the estate to pursue opportunities related to professional activities, including but not limited to performing, recording, videos, tours, tv shows, and other similar activities as long as they're approved by Ms. Spear's Medical Team.

An Inventory and Appraisal is to be filed no later than 11-21-08.

A non-appearance telephonic status report is currently set on 11-21-08 at 1:30p.m. here in this department regarding Ms. Spears' professional activities.